

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
11 JAN 10 AM 11:01
BY RONALD R. CARPENTER
CLERK

NO. 83771-6

SUPREME COURT OF THE STATE OF WASHINGTON

UNION ELEVATOR & WAREHOUSE COMPANY, INC.,
a Washington Corporation,

Respondent,

v.

THE STATE OF WASHINGTON, by and through the Department of
Transportation,

Petitioner.

STATEMENT OF SUPPLEMENTAL AUTHORITY

ROBERT M. MCKENNA
Attorney General
AMANDA G. PHILLY, WSBA No. 37667
Assistant Attorney General
DOUGLAS D. SHAFTEL, WSBA No. 32906
Assistant Attorney General
P.O. Box 40113
Olympia, WA 98504-0113
(360) 753-1622

ORIGINAL

FILED AS
ATTACHMENT TO FMA

Pursuant to RAP 10.8, Petitioner Washington State Department of Transportation submits the following authority related to the issue of when the state has waived sovereign immunity to interest on its debts:

Columbia Steele Co. v. State, 34 Wn.2d 700, 209 P.2d 482 (1949) (sovereign immunity bars interest on illegally collected taxes obtained in refund action against state).

RESPECTFULLY SUBMITTED this 10th day of January, 2011.

ROBERT M. MCKENNA
Attorney General



DOUGLAS D. SHAFTEL, WSBA No. 32906
AMANDA G. PHILY, WSBA No. 37667
Assistant Attorneys General
Attorneys for Petitioner
P.O. Box 40113
Olympia, WA 98504-0113
360-753-6126